

ORDINANCE NO. 2068

AN ORDINANCE AMENDING THE CENTRAL POINT MUNICIPAL CODE SECTIONS 5.04.050 AND 5.04.090 REGARDING BUSINESS LICENSE TERM

RECITALS:

A. Pursuant to CPMC, Chapter 1.01.040, the City Council, may from time to time make revisions to its municipal code which shall become part of the overall document and citation.

B. The City Council extended the validity of current business licenses to September 30, 2020 as a result of the COVID-19 Pandemic.

C. Upon review, the staff and city attorney for the City of Central Point determined that amendment to CPMC 5.04.050, Issuance of Business License, and CPMC 5.04.090 Fee-Term, is advisable for consistency with the extension to current business licenses. Further the new calendar term is beneficial in that it avoids conflicts with additional duties of the finance department during fiscal year end.

D. Words ~~lined through~~ are to be deleted and words **in bold** are added.

THE PEOPLE OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Chapter 5.04.050, is amended as set forth below and incorporated herein by reference.

5.04.050 Issuance.

Upon receipt of a business license application and the required fee, the same shall be forwarded to the city designee who will cause the application to be reviewed by the appropriate members of the city staff for compliance by the proposed business with all applicable charter and ordinance provisions including, but not limited to, building, zoning and public safety ordinances. Upon approval for compliance, the application will then be forwarded to the city designee who shall issue a business license to the applicant. Licenses so issued shall be valid until the thirtieth day of ~~June~~**September** following the date of issuance of the license (licenses issued before September 30, 1995 shall be valid). In the event an application is denied for noncompliance of the proposed business with city charter or ordinance provisions, the applicant shall have the right to appeal said denial to the city council at the next regularly scheduled council meeting.

Ordinance No. 2068 (July 9, 2020)

SECTION 2. Chapter 5.04.090, is amended as set forth below and incorporated herein by reference.

5.04.090 Fee--Term.

A. The business license term shall be the twelve-month period beginning on ~~July~~ **October** 1st of each year and ending ~~June~~ **September** 30th of the calendar year next following.

B. If any business subject to the provisions of this chapter comes into existence, or for the first time commences its operations within the city at any time after January 1st of any business license period, the license fee payable in connection with that business for the current business license period shall be prorated as of the beginning date of the semi-annual period during which the activity begins. The semi-annual periods for the purposes hereof shall begin on the first day of January of each year.

C. The license fee for any business taxed hereunder shall be computed using the city of Central Point business license fee schedule to include a basic fee and an additional fee for each employee over two employees, but no fee hereunder shall exceed the maximum annual amount set forth in the city of Central Point business license fee schedule. For the purposes of this subsection, the term "employee" means and includes:

1. A person having no ownership interest in the business other than the ownership of shares in a corporate owner of the business and who is regularly employed by, and under the supervision and control of, the owner or owners of the business or their representative in the course of the business activities; or
2. A natural person having an ownership interest in the business, who actively works in and for the business on a full-time basis;
3. Any person who is not subject to state and federal employment and withholding taxes by the business shall not be deemed an employee under this chapter.

SECTION 2. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any recital clauses and boilerplate provisions (i.e. Recitals A-D) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

Ordinance No. 2068 (July 9, 2020)

SECTION 3. Effective Date. The Central Point City Charter states that an ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

PASSED by the Council and signed by me in authentication of its passage this 13th day of ~~July~~ August 2020.


Mayor Hank Williams

ATTEST:


City Recorder

Ordinance No. 2068 (July 9, 2020)